

NOTICES OF PUBLIC INFORMATION

Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rule-making information that does not fit into any other category of notice; and other types of information required by statute to be published in the *Register*. Because of the variety of material that is contained in a Notice of Public Information, the Office of the Secretary of State has not established a specific format for these notices.

NOTICE OF PUBLIC INFORMATION

OFFICE OF THE GOVERNOR

[M09-19]

TO: State Agency Directors and Acting Directors
FROM: Janice K. Brewer
Governor
SUBJECT: Regulatory Review Plan
DATE: January 22, 2009

In order to ensure that my appointees have the opportunity to review any new or pending rules, I am asking that you immediately take the following steps, subject to the exception process as described in paragraph 9:

1. Send no proposed or final rule to the Secretary of State for the publication in the Arizona Administrative Register.
2. File no notice of proposed rule making with the Secretary of State or begin or continue any activities in preparation for the rule making, including informal rule making activities.
3. With respect to proposed rules that have been sent to the Secretary of State but not published in the Arizona Administrative Register, withdraw them from the Secretary of State.
4. With respect to proposed rules that are final but have not been submitted to the Governor's Regulatory Review Council (GRRC) for approval, postpone filing the rules with GRRC.
5. With respect to proposed rules that have been submitted to the GRRC for approval, postpone filing rules approved by GRRC with the Secretary of State.
6. With respect to proposed rules that are final but have not been submitted to the Attorney General for approval, postpone filing the rules with the Attorney General.
7. With respect to proposed rules that have been submitted to the Attorney General for approval, withdraw the rules from consideration by the Attorney General.
8. Provide the Governor's Office a list and brief summary of each rule making activity within your agency no later than February 16, 2009.
9. Notify the Governor's Office promptly in writing of any rule making activity that, in your view, impacts critical public peace, health and safety functions of the agency or that are needed to address the state budget deficit and therefore should be also excluded from the directives in paragraphs 1-7. The Governor's Office will review any such notifications and determine whether exception is appropriate under the circumstances.

The directives in paragraphs 1-7 shall remain in effect until April 30, 2009.

As used in this memorandum, "rule" has the meaning as defined in A.R.S. § 41-1001(17).

Finally, in the interest of sound regulatory practice and the avoidance of costly, burdensome, or unnecessary rules, independent agencies are encouraged to participate voluntarily within the context of their own rulemaking processes.

This regulatory review will be implemented by the Governor's Office. Communications regarding exceptions to the review, or questions regarding the review generally, should be addressed to Richard bark, Deputy Chief of Staff for Policy at rbark@az.gov.

This memorandum shall be published in the Arizona Administrative Register.

Notices of Public Information

NOTICE OF PUBLIC INFORMATION

BOARD OF PHARMACY

[M09-21]

- 1. Name of the agency:** Board of Pharmacy
2. Title and its heading: 4, Professions and Occupations
Chapter and its heading: 23, Board of Pharmacy
Articles and headings: 1, Administration; 4, Professional Practices; 6, Permits and Distribution of Drugs; 10, Uniform Controlled Substances and Drug Offenses
Section numbers: R4-23-110, R4-23-405, R4-23-604, R4-23-616, R4-23-1103

3. The public information relating to the listed Sections:

This Notice of Public Information is in regards to a Notice of Proposed Rulemaking that was filed with the Secretary of State on January 15, 2009 (Secretary of State file number R09-27). The Notice has not yet been published in the *Administrative Register*.

We hereby withdraw this Notice under Governor Memorandum, Regulatory Review Plan, dated January 22, 2009, and published at 15 A.A.R. 241 (M09-19).

4. The following public hearings have been canceled due to the withdrawal of the Notice specified in item 3:

Not applicable

5. The name, address, and telephone number of agency personnel to whom questions and comment on the Notice of Public Information may be addressed to:

Name: Dean Wright, Rulewriter
Office: Board of Pharmacy
Address: 1700 W. Washington St., Suite 250
Phoenix, AZ 85007
Telephone: (602) 771-2744
Fax: (602) 771-2749
E-mail: dwright@azpharmacy.gov

NOTICE OF PUBLIC INFORMATION

DEPARTMENT OF HEALTH SERVICES
COMMUNICABLE DISEASES AND INFESTATIONS

[M09-23]

- 1. Name of the agency:** Department of Health Services
2. Title and its heading: 9, Health Services
Chapter and its heading: 6, Department of Health Services – Communicable Diseases and Infestations
Article and its heading: 10, HIV-related Testing and Notification
Section numbers: R9-6-1001, R9-6-1003, and Exhibit A

3. The public information relating to the listed Sections:

This Notice of Public Information is in regards to a Notice of Proposed Rulemaking that was filed with the Office of the Secretary of State on January 13, 2009 (Secretary of State file number R09-21), to be published in the *Arizona Administrative Register*. We hereby withdraw this Notice under Governor Memorandum, Regulatory Review Plan, dated January 22, 2009, and published at 15 A.A.R. 241 (M09-19).

4. The following public hearings have been canceled due to the withdrawal of the Notice specified in item 3:

Date: March 10, 2009
Time: 9:30 a.m.
Location: 1740 W. Adams St., Room 101A
Phoenix, AZ 85007

5. The name, address, and telephone number of agency personnel to whom questions and comment on the Notice of Public Information may be addressed to:

Name: Kathleen Phillips, Administrative Counsel and Rules Administrator
Address: Department of Health Services
Office of Administrative Counsel and Rules
1740 W. Adams St., Suite 200

Notices of Public Information

Phoenix, AZ 85007
Telephone: (602) 542-1264
Fax: (602) 364-1150
E-mail: phillik@azdhs.gov

NOTICE OF PUBLIC INFORMATION
ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM
ADMINISTRATION

[M09-22]

- 1. Name of the agency:** Arizona Health Care Cost Containment System (AHCCCS)
- 2. Title and its heading:** 9, Health Services
Chapter and its heading: 22, Arizona Health Care Cost Containment System – Administration
Article and its heading: 11, Civil Monetary Penalties and Assessments
Section numbers: R9-22-1101, R9-22-1102, R9-22-1103, R9-22-1104, R9-22-1105, R9-22-1106, R9-22-1108, R9-22-1109, R9-22-1110, R9-22-1111
- 3. The public information relating to the listed Sections:**
According to the State of Arizona Regulatory Review Plan issued by Governor Janice Brewer, January 22, 2009, rulemaking activities will be held until April 30, 2009.
The public hearing scheduled February 4, 2009 for this rulemaking must be cancelled until further notice.
- 4. A list of previous notices published in the Register relating to the notice of public information:**
Notice of Rulemaking Docket Opening: 14. A.A.R. 4, January 2, 2009
Notice of Proposed Rulemaking: 14. A.A.R. 82, January 2, 2009
- 5. The name, address, and telephone number of agency personnel to whom questions and comment on the rules may be addressed:**
Name: Mariaelena Ugarte
Address: AHCCCS
Office of Administrative and Legal Services
701 E. Jefferson St., Mail Drop 6200
Phoenix, AZ 85034
Telephone: (602) 417-4693
Fax: (602) 253-9115
E-mail: AHCCCSRules@azahcccs.gov

NOTICE OF PUBLIC INFORMATION
DEPARTMENT OF HEALTH SERVICES
EMERGENCY MEDICAL SERVICES

[M09-24]

- 1. Name of the agency:** Department of Health Services
- 2. Title and its heading:** 9, Health Services
Chapter and its heading: 25, Department of Health Services – Emergency Medical Services
Article and its heading: 3, Training Programs
Section number: R9-25-304
- 3. The public information relating to the listed Sections:**
This Notice of Public Information is in regards to a Notice of Proposed Rulemaking that was filed and published in the *Arizona Administrative Register* in 15 A.A.R. 2, page 114 on January 9, 2009. The Secretary of State file number for this notice is R08-446.
We hereby withdraw this Notice under Governor Memorandum, Regulatory Review Plan, dated January 22, 2009, and published in the 15 A.A.R. 241 (M09-19).
- 4. The following public hearings have been canceled due to the withdrawal of the Notice specified in item 3:**
Date: February 10, 2009
Time: 10:00 a.m.

Notices of Public Information

Location: Department of Health Services
150 N. 18th Ave., Room 540A
Phoenix, AZ 85007-3248

5. The name, address, and telephone number of agency personnel to whom questions and comment on the Notice of Public Information may be addressed to:

Name: Kathleen Phillips, Administrative Counsel and Rules Administrator

Address: Department of Health Services
Office of Administrative Counsel and Rules
1740 W. Adams St., Suite 200
Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: phillik@azdhs.gov